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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No: 2:07-cv-0892 (base case)

**ORDER VACATING FINDING OF
CONTEMPT RE: DONNA
CANGELOSI**

In or about August 2007, Compass and its principals requested that this Court make a determination as to whether or not the Plaintiff/Counterdefendant Donna Cangelosi had engaged in conduct constituting contempt of court by violating prior orders issued by the Honorable Linda B. Riegle, in bankruptcy case number 06-bk-10725 lbr, *In re: USA Commercial Mortgage*. Hearings were held on October 1 and 2, 2007, regarding the allegations against Ms. Cangelosi.

On November 6, 2007, this Court issued an order finding that Ms. Cangelosi's conduct was in contempt of court. *See* docket #198. The order stated that "[t]he issue of damages to Compass, if any, with respect to the Court's finding of contempt, is reserved for trial." *Id.*

On April 8, 2010, this Court determined that it would submit the issue of whether or not Ms. Cangelosi was in contempt to the jury at trial in this case.

1 On June 8, 2010, this Court issued a summary judgment order finding that the only party
2 with standing to pursue the contempt claim against Ms. Cangelosi was the Trustee, on behalf of
3 Asset Resolution. *See* docket #1820, pages 26-27.
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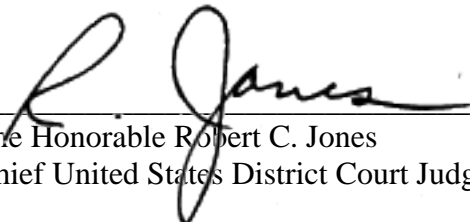
5 Trial in the above entitled case commenced on November 16, 2010. The contempt claim
6 against Ms. Cangelosi was one of several issues to be determined by the jury.

7 On December 7, 2010, counsel for the Trustee advised this Court of its request to
8 withdraw its claim for contempt against Donna Cangelosi. The Court heard argument from both
9 parties on that date.
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11 Based upon the foregoing, and good cause appearing,

12 IT IS HEREBY ORDERED that the previous finding of contempt against Donna
13 Cangelosi, entered on November 6, 2007, IS HEREBY VACATED.
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15 Dated: This 08/16/2011


The Honorable Robert C. Jones
Chief United States District Court Judge

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20 Submitted by:

21 **Law Office of Lisa Rasmussen**

22 */s/ Lisa A. Rasmussen*
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LISA A. RASMUSSEN, ESQ.
25 Counsel for Donna Cangelosi
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**Approved as to form and content
by Jonathan Dabbieri on 6/13/11
Counsel for Asset Resolution**